

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

SHEMEKA N. RAMSEY, Personal
Representative of the Estate of
DEMARIUS JAMAR RAMSEY,

Petitioner,

v.

SECRETARY OF HEALTH
AND HUMAN SERVICES,

Respondent.

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

No. 07-21V

Special Master Christian J. Moran

Filed: May 7, 2008

Stipulation; Hepatitis B vaccine;
Diphtheria-Tetanus-Acellular
Pertussis, Haemophilus Influenza
Type B, Inactivated Polio vaccine;
death.

UNPUBLISHED DECISION¹

Ronald C. Homer, Esq., Conway, Homer & Chin-Caplan, Boston, M.A., for Petitioner;
Althea Walker Davis, Esq., U.S. Department of Justice, Washington, D.C., for Respondent.

On May 5, 2008, the parties filed a joint stipulation concerning the claim made by Shemeka N. Ramsey, parent and personal representative of the estate of her son, Demarius Jamar Ramsey. Ms. Ramsey filed a petition for compensation on January 16, 2007. In her petition, Ms. Ramsey alleged that the Hepatitis B vaccine (“hep B”), Diphtheria-Tetanus-Acellular Pertussis (“DtaP”), Haemophilus Influenzae Type B (“Hib”), Inactivated Polio vaccine (“IPV”) and pneumococcal vaccines, which vaccines are contained in the Vaccine Injury Table, 42 C.F.R.

¹ Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post it on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002).

All decisions of the special masters will be made available to the public unless they contain trade secrets or commercial or financial information that is privileged and confidential, or medical or similar information whose disclosure would clearly be an unwarranted invasion of privacy. When such a decision or designated substantive order is filed, the person submitting the information has 14 days to identify and to move to delete such information before the document's disclosure. If the special master agrees that the identified material fits within the categories listed above, the special master shall redact such material from public access. 42 U.S.C. § 300aa-12(d)(4)(B); Vaccine Rule 18(b).

§100.3 (a)(II), (VII), (VIII), (IX), (XIII), and which Demarius received on January 20, 2005, caused his death.

Respondent denies that Demarius suffered an adverse reaction to his vaccinations administered on January 20, 2005, and denies that Demarius's death was a sequela of his alleged vaccine reaction. Nevertheless, the parties agree to the joint stipulation, attached hereto as Appendix A. The undersigned finds said stipulation reasonable and adopts it as the decision of the Court in awarding damages, on the terms set forth therein.

Damages awarded in that stipulation include:

A lump sum of \$200,000.00 in the form of a check payable to petitioner as legal representative of the estate of Demarius Jamar Ramsey. This amount represents compensation for all damages that would be available pursuant to 42 U.S.C. § 300aa-15(a).

In the absence of a motion for review filed pursuant to RCFC, Appendix B, the clerk is directed to enter judgment in case 07-21V according to this decision and the attached stipulation.

Any questions may be directed to Francina Segbefia at (202) 357-6358.

IT IS SO ORDERED.

s/ Christian J. Moran

Christian J. Moran
Special Master